

RANBAXY

RANBAXY INC. ■ 600 COLLEGE ROAD EAST, SUITE 2100 ■ PRINCETON, NJ 08540 ■ TELE. (609) 720-9200 ■ FACSIMILE (609) 514-9779

FACSIMILE COVER SHEET

DATE: December 13, 2007

NO. OF PAGES: **33**
(INCLUDING THIS COVER)TO: USPTO
Attn: Terry M Johnson Vessels

FAX NO.: 571-270-9973

FROM: Kim Campbell- Paralegal Intellectual Property

Re: Application No. 10/522,322
Filed Date: October 7, 2005
Title: OXAZOLIDINONE DERIVATIVES AS ANTIMICROBIALS

Dear Ms. Vessels:

This is a confirmation of our telephone conversation today regarding the Notification of Abandonment dated December 5, 2007 in this matter. The Response to Missing Requirements was mailed via Express Mail on January 19, 2007 which was within the time period set therein. Please find attached the following:

- 1.) Copy of the express mail receipt with the U.S. postal service date stamped January 19, 2007 and the return post card with the USPTO date stamped January 19, 2007
- 2.) Certificate of express mail
- 3.) Response to Notice to File Missing Parts
- 4.) Executed Declaration
- 5.) Copy of notification of missing requirements
- 6.) Transmittal of information disclosure statement and information disclosure citation. (cited references already sent, please advise if they need to be resent).

Kindly acknowledge receipt of these documents and confirm that this application is not abandoned. Your attention to this matter is greatly appreciated.

Thank you.



Kim Campbell
Paralegal – Intellectual Property

CONFIDENTIALITY NOTE:

The information contained in this facsimile message is strictly privileged and confidential, intended only for the use of the individual or entity named above.

If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this material is strictly prohibited.

If you have received this communication in error, please immediately notify us by telephone to arrange for the destruction or the communication or the return, at our expense, of the original message.



UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

DEC 07 2007

RANBAXY
IP DEPARTMENT

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1430
Alexandria, Virginia 22313-1430
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/552,322	Mehta	RLL-313US

26815
RANBAXY INC.
600 COLLEGE ROAD EAST
SUITE 2100
PRINCETON, NJ 08540

INTERNATIONAL APPLICATION NO.

PCT/IB03/01266

I.A. FILING DATE

PRIORITY DATE

04/07/2003

CONFIRMATION NO. 2737

371 ABANDONMENT/TERMINATION
LETTER

0000000027093010

Date Mailed: 12/05/2007

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 06/20/2006 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

TERRY M JOHNSON VESSELS

Telephone: (703) 308-9140 EXT 221

RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: MEHTA et al.

CASE NO.: RLL-313US

Application No.: 10/552,322

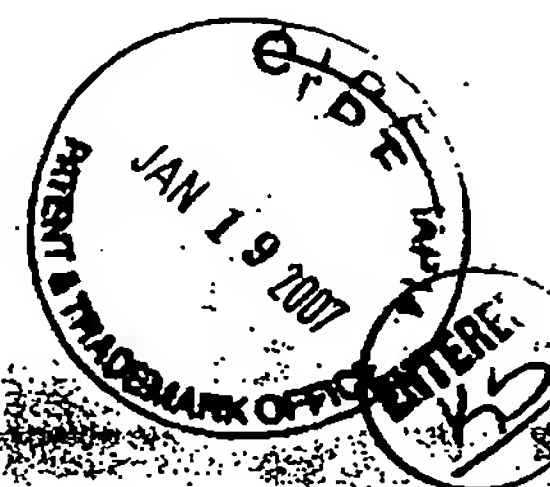
Date Filed: October 7, 2005

TITLE: OXAZOLIDINONE DERIVATIVES AS ANTIMICROBIALS

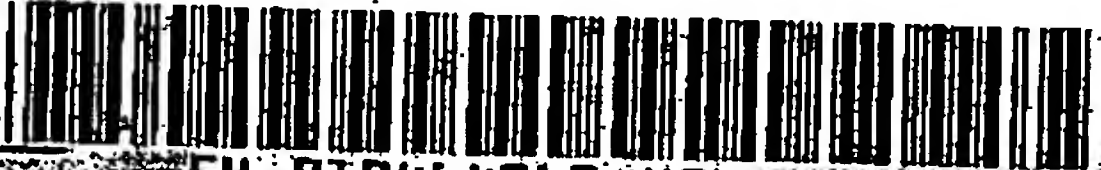
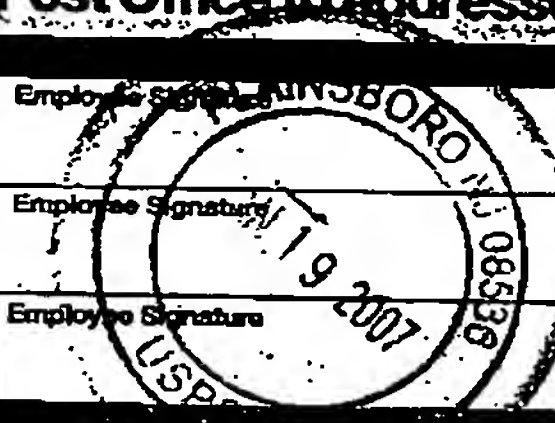
Information Disclosure Statement
 Information Disclosure Citation with cited references
 Executed Declaration and Power of Attorney
 Copy of Notice to File Missing Parts
 Certificate of Express Mail
 Return Post Card

RECEIVED

JAN 26 2007

RANBAXY
I.P. DEPARTMENT

January 19, 2007 KFC

 EV 919464067 US		EXPRESS MAIL UNITED STATES POSTAL SERVICE		Customer Co Label 11-F, April
ORIGIN (POSTAL SERVICE USE ONLY) PO ZIP Code: 08536 Day of Delivery: <input checked="" type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day Scheduled Date of Delivery: Month 1, Day 20 Date Accepted: 1/19/07 Time Accepted: 4:02 PM Flat Rate <input type="checkbox"/> or Weight <input checked="" type="checkbox"/>		DELIVERY (POSTAL USE ONLY) Delivery Attempt: <input type="checkbox"/> AM <input type="checkbox"/> PM Mo. Day: Delivery Attempt: <input type="checkbox"/> AM <input type="checkbox"/> PM Mo. Day: Delivery Date: <input type="checkbox"/> AM <input type="checkbox"/> PM Mo. Day: Total Postage & Fees: \$ 38.15 Acceptance Initials: <i>RAC</i>		Post Office To Address: 
CUSTOMER USE ONLY METHOD OF PAYMENT: Express Mail Corporate Acct. No. X065035		Federal Agency Acct. No. or Postal Service Acct. No.		
FROM (PLEASE PRINT): JAY DESHROUKH RANBAXY PHARMACEUTICALS INC 600 COLLEGE RD E STE 2100 PRINCETON NJ 08540-0635 RLL-313US KFC		TO (PLEASE PRINT): Commissioner for Patents P.O. Box 1450 Mail Stop: Missing Parts Alexandria, VA 22313-1450		
FOR PICKUP OR TRACKING: Visit www.usps.com or Call 1-800-222-1811				

RLL-313US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MEHTA *et al.*
Application No.: 10/522,322
Filing Date: October 7, 2005
Title: OXAZOLIDINONE DERIVATIVES AS ANTIMICROBIALS

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the following correspondence:

- Information Disclosure Statement
- Information Disclosure Citation with cited references
- Executed Declaration and Power of Attorney
- Certificate of Express Mailing
- Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on January 19, 2007

Michelle Morgan

Name of Person Mailing Correspondence

Michelle Morgan

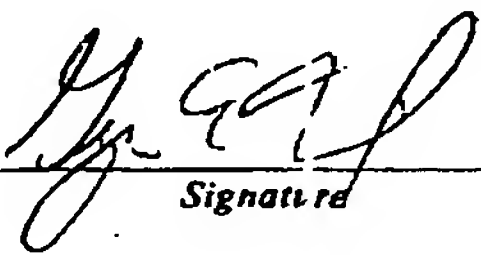
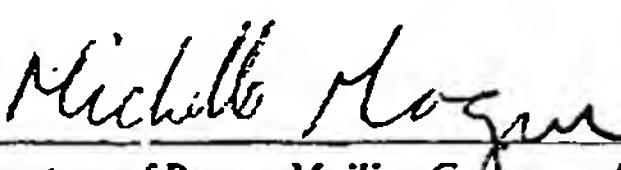
Signature

EV 919464067 US

"Express Mail" Mailing Label Number

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533)(Large Entity)					Docket No. RLL-313US	
In Re Application Of: MEHTA, et al.						
Application No. 10/552,322	Filing Date October 7, 2005	Examiner TBA	Customer No. 26815	Group Art Unit TBA	Confirmation No. 2737	
Invention: OXAZOLIDINONE DERIVATIVES AS ANTIMICROBIALS						
<u>Mail Stop Missing Parts</u> <u>COMMISSIONER FOR PATENTS:</u> This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on <u>June 20, 2006</u> <i>Date</i> Enclosed herewith for filing are the following: <div style="margin-left: 20px;"><input checked="" type="checkbox"/> A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED) <input type="checkbox"/> An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date. <input checked="" type="checkbox"/> A properly signed oath or declaration in compliance with 37 CFR 1.63. <input type="checkbox"/> An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date. <input type="checkbox"/> A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office. <input checked="" type="checkbox"/> Other (list): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Information Disclosure Statement Information Disclosure Citation with cited references Executed Declaration and Power of Attorney Certificate of Express Mailing Return Postcard</div></div>						

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533)(Large Entity)					Docket No. RLL-313US	
In Re Application Of: MEHTA, et al.						
Application No. 10/552,322	Filing Date October 7, 2005	Examiner TBA	Customer No. 26815	Group Art Unit TBA	Confirmation No. 2737	
Invention: OXAZOLIDINONE DERIVATIVES AS ANTIMICROBIALS						
<u>TO THE COMMISSIONER FOR PATENTS:</u> <u>Mail Stop Missing Parts</u>						
<input type="checkbox"/> Completion of application fees as calculated below:						
<input type="checkbox"/> Utility application basic fee						_____
<input type="checkbox"/> Design application basic fee						_____
<input type="checkbox"/> Search Fee						_____
<input type="checkbox"/> Examination Fee						_____
<input type="checkbox"/> Total number of independent claims = _____						_____
<input type="checkbox"/> Total number of claims = _____						_____
<input type="checkbox"/> Multiple dependent claims						_____
<input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath						\$130.00
<input type="checkbox"/> Petition and fees for filing by other than all the inventors or a person not the inventor						_____
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification						_____
<input type="checkbox"/> Fee for processing and retention of application						_____
Total completion of application fees						_____
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.</p>						
<input type="checkbox"/> One month <input type="checkbox"/> Two months <input type="checkbox"/> Three months <input type="checkbox"/> Four months <input checked="" type="checkbox"/> Five months						
from: _____		September 20, 2006		until: _____		January 20, 2007
		<i>Date</i>				<i>Date</i>
Total time extension fees						\$2,160.00
Total fees due						\$2,160.00

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533) (Large Entity)					Docket No. RLL-313US	
In Re Application Of: MEHTA, et al.						
Application No. 10/552,322	Filing Date October 7, 2005	Examiner TBA	Customer No. 26815	Group Art Unit TBA	Confirmation No. 2737	
Invention: OXAZOLIDINONE DERIVATIVES AS ANTIMICROBIALS						
<u>TO THE COMMISSIONER FOR PATENTS:</u> <u>Mail Stop Missing Parts</u>						
<p>The fee of \$2,160.00 is to be paid as follows:</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-0912</p> <p><input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-0912</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>						
 _____ <i>Signature</i>			Dated: January 19, 2007			
George E. Heibel, Esq. Reg. No. 42,648			<div style="font-size: small;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class ^{EXPRESS} mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.6(a)] on 1/19/2007 (Date)</div> <div style="text-align: center; margin-top: 10px;"> _____ <i>Signature of Person Mailing Correspondence</i></div> <div style="text-align: center; margin-top: 10px;">MICHELLE MORGAN _____ <i>Typed or Printed Name of Person Mailing Correspondence</i></div>			
Customer No. 26815						
cc:						

Page 1 of 2

KFL

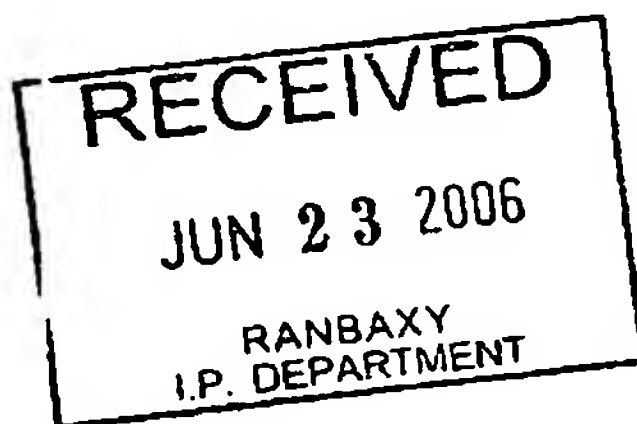


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/552,322	Mehta	RLL-313US

26815
RANBAXY INC.
600 COLLEGE ROAD EAST
SUITE 2100
PRINCETON, NJ 08540



INTERNATIONAL APPLICATION NO.	
PCT/IB03/01266	
I.A. FILING DATE	PRIORITY DATE
04/07/2003	

CONFIRMATION NO. 2737
371 FORMALITIES LETTER



OC000000019330530

Date Mailed: 06/20/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/07/2005
- Copy of the International Search Report filed on 10/07/2005
- Preliminary Amendments filed on 10/07/2005
- U.S. Basic National Fees filed on 10/07/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.



The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/552,322	PCT/IB03/01266	RLL-313US

FORM PCT/DO/EO/905 (371 Formalities Notice)